

REMARKS

Claims 1-18 and 21-29 are pending and have been rejected. Minor editorial amendments have been made to claims 2, 3, 9, and 14-17. Claims 13 and 18 have been canceled. Claims 1-12, 14-17 and 21-29 remain in the case.

Claims 16 and 26 stand rejected under the second paragraph of Section 112. Claims 1 and 16 have been amended to obviate these rejections.

Claims 13, 14, and 15 are rejected under Section 102(b) based on Stephens *et al.* Claim 13 has been canceled and claims 14 and 15 have been amended to depend from claim 1, obviating this ground of rejection.

Claims 1-6, 10, 11, 13-15 and 17 stand rejected under Section 102(b) based on CN 107391. Claims 1, 2, 4, 5, 8 and 13-15 stand rejected under Section 102(b) based on Li *et al.* Claims 1-18 and 21-29 stand rejected under Section 103(a) based on the combined teachings of CN 1121807, CN 1079391, Li *et al.*, Stephens *et al.*, and Shimotsuura *et al.*, in view of Shen *et al.*, Konig *et al.* and JP 51-88620.

None of the cited documents discloses treating of solid tumors of the breast, colon, ovary, kidney, central nervous system, bladder, prostate or lung, by administering to a human patient a therapeutically effective amount of one or more arsenic compounds, or a prodrug of such arsenic compounds. Indeed, none of the cited documents says anything that would prompt the skilled artisan to use an arsenic compound to treat solid tumors of the types presently recited. The examiner is referred to applicant's comments in this regard

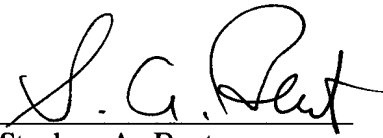
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in the response submitted August 21, 2001. Reconsideration and withdrawal of the outstanding rejections is respectfully requested.

In view of the foregoing amendments and remarks, it is believed that all claims are in condition for allowance. Reconsideration of all rejections and a notice of allowance are respectfully requested. Should there be any questions regarding this application, the examiner is invited to contact the undersigned attorney at the phone number listed below.

Respectfully submitted,

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Date


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MARKED-UP VERSIONS OF AMENDED CLAIMS

1. (Amended) A method of treatment of solid tumors in a human in need of such treatment, which comprises administering a therapeutically effective amount of one or more arsenic compounds, or a prodrug of one or more of said arsenic compound, to said human, wherein said solid tumor is a tumor of the breast, colon, ovary, kidney, central nervous system, bladder, prostate or lung.

2. (Twice Amended) [A method of treatment of] The method of claim 1, wherein said solid tumor is a metastatic [neoplastic disease in a human in need of such treatment, which comprises administering a therapeutically effective amount of one or more arsenic compounds to said human] tumor.

3. (canceled)

9. (Twice Amended) The method of claim 4 wherein said tumor is a tumor of the central nervous system [is] selected from the group consisting of neuroblastoma, retinoblastoma, glioblastoma and oligodentroglioma.

13. (Canceled)

14. (Twice Amended) The method of claim [13] 1, in which said other therapeutic agent is a chemotherapeutic agent or radiotherapeutic agent.

15. (Twice Amended) The method of claims 1[, or 2, [3, or 13] in which said administration is made parenterally, topically, dermally, directly into the tumor or orally.

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16. (Twice Amended) The method of claim [13] 1, in which said other therapeutic agent is selected from the group consisting of etoposide, cisplatin, carboplatin, estramustine phosphate, vinblastine, methotrexate, hydroxyurea, cyclophosphamide, doxorubicin, 5-fluorouracil, taxol, diethylstilbestrol, VM-26 (vumon), BCNU, all-trans retinoic[,] acid, procarbazine, cytokines, and therapeutic vaccines.

17. (Twice Amended) The method of claim 1[,] or 2, [3 or 13] in which said administration is made via an implantation device.

18. (Canceled)